

**MINUTES**  
**UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY**  
**UTAH WATER QUALITY BOARD MEETING**

Cannon Health Building Room 125  
288 North 1460 West  
Salt Lake City, Utah 84114  
**August 10, 2001**  
9:30 AM

**UTAH WATER QUALITY BOARD MEMBERS PRESENT**

K.C. Shaw, Chair	Mayor John Cushing
Neil Kochenour	J. Ann Wechsler
Mayor Douglas Thompson	Ray Child
Robert G. Adams	Ron Sims
Bill Williams	Nan Bunker

**DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT**

Don Ostler, Faye Bell, Walter Baker, Tim Beavers, Paul Krauth, Gayle Smith, Jay Pitkin, J.D. McDonald, Carl Adams, Larry Mize, Nancy Hess, Mark Schmitz, Chris Imbrogno, Tammie Jo Heazlit, Karin Tatum, Kiran Bhayani, Mike Hanson, Dennis Frederick, Ed Macauley and Edith Van Vleet

**OTHERS PRESENT**

<u>Name</u>	<u>Organization Representing</u>
Janae Wallace	Utah Geological Survey
Mike Lowe	Utah Geological Survey
Ron Layton	Davis County Environmental Health
Bill Sinclair	DEQ/Division of Radiation Control
Thad Erickson	Cache County
Robert Kolan	Bear Lake
Fred Nelson	Attorney General Office
J. Robert Shields	Stansbury Park Improvement District
Kathy Hislop	Bear Lake Special Service District
Jason Linford	Sunrise Engineering
Norm Weston	Rich County Commission
Allen Harrison	Bear Lake Regional Comm
William Cox	Rich County Com
Ron Lawson	Mountain Green Sewer Imp. District
Rusty Lundberg	Division of Solid and Hazardous Waste
Arlo B. Price	Bear Lake Special Service District
Mark Teuscher	Cache County/CPDO
Craig Worwood	Town of Levan
Jason Worwood	Town of Levan
Bryon Elwell	Michael Baker Corporation
John Daley	KSL-TV

Chairman Shaw called the Board meeting to order at 9:30 a.m. He welcomed those in attendance and invited the members of the audience to introduce themselves.

### **APPROVAL OF MINUTES OF THE JUNE 15, 2001 MEETING**

Ms. Wechsler noted one correction in the Minutes on page 1.5 in the second action taken, the word “wave”, should be spelled “waive”.

**Action Taken: It was moved by Mr. Sims, seconded by Dr. Kockenour and unanimously carried to approve the minutes of the June 15, 2001 meeting with the noted spelling correction.**

### **ENFORCEMENT UPDATE**

**Tooele City Corporation:** Mr. Mark Schmitz updated the Board on the Tooele City Corporation enforcement action for many violations of their Biosolids Disposal Permit. Tooele City agreed to pay a penalty in the amount of \$10,500 within 30 days to the State of Utah. The city has proposed and agreed to provide funding for the following mitigation projects: a) A research project in the amount of at least \$19,100 on the effects of lime treated biosolids in alkaline soils and agriculture production; b) An eight hour biosolids workshop in the amount of at least \$5,000 and completed by September 1, 2002; c) A demonstration lawn and garden project in the amount of at least \$10,000 located in a highly visible area of Tooele City or Tooele County.

### **STAFF REPORTS:**

**Wastewater Management for the Olympic and Paralympic Winter Games presentation:** Mr. Kiran Bhayani gave a presentation of the plans for the winter games. Mr. Bhayani reviewed the plans for each of the venues to meet the needs of spectators and needs supported by Division of Water Quality staff and wastewater needs during the games. There are a total of 12 venues, with 222,000 people expected to attend the games. As estimated 2,162 porta potties will be distributed among all 12 venues. Approximately 1-1/2 million gallons of waste water will be produced; approximately 138,000 gallons of wastewater per day. Mr. Bhayani then showed the breakdown of events and anticipated needs of each venue. All wastewater will be transported to various treatment facilities. The goal is to perform all the wastewater management functions for both games and a commitment to protect the environment and contribute to the success of the Olympic games.

**Update on fire at Site 42101 at Circle Four Farms :** Mr. Rusty Lundberg from the Division of Solid and Hazardous Waste (SHW) briefed the Board on the recent fire at Circle Four Farms on July 30th. SHW was involved along with the Southwest Local Health Department (LHD) to help determine the best method of disposal of the animal carcasses and some of the building debris. Mr. Lundberg gave an overview of what kind of response actions were taken. The Cedar City Fire Department did respond, but due to the distance as well as the nature of the fire itself they were there to primarily control the fire. On Monday July 31<sup>st</sup>, SHW, WQ and the LHD began to discuss the nature of the animals and the buildings and the large volume. After discussion of onsite vs offsite disposal, the nature of resources available to Circle Four and the longterm decaying of the animal carcasses, it was decided the onsite disposal was the best option. All the information was compiled and the permitting process proceeded to allow the disposal area to

receive a Class IV permit which is one that allows onsite disposal of dead animals. As of August 3<sup>rd</sup> the removal and disposal of the animals has been taken care of. There was a effort by Circle Four to separate the building materials to not take up a lot of room in the disposal area for that type of material. Future steps include the need for final cover, ground water monitoring issues and coordinating with the Division of Water Quality in the parameters, and monitoring well construction needs and specifications. Mr. Williams asked about the amount of animal debris, etc. Mr. Lundberg responded the area for disposal covered an area of 15 ft deep, 20 ft across and 60-70 ft in length. Mr. Shaw asked if a ground water monitoring requirement was imposed. Mr. Lundberg responded that SHW & DWQ are looking at requiring monitoring. Mr. Ostler clarified that this area was the furthest away from communities and other ground water users. These were the sow barns where they produce the little pigs and we were in the process of permitting additional facilities to handle the small pigs and the finishing operations. Significant negotiations had previously taken place which may represent improvements over the wastewater management. The county had agreed to allow an additional lagoon be constructed at that location; the county also agreed to rescind their ban on any further lagoon construction if Circle Four would retrofit six lagoons near town with a cap. All these improvements hinged on this expansion and we don't know what the status on those advancements are now.

### **LOAN PROGRAM**

1. **Financial Assistance Status Report** - Ms. Hess updated the board on the “Summary of Assistance Program Funds” as outlined under Tab 4.1.
2. **Levan Town (Action Item)** - Mr. McDonald introduced Jason Worwood and Craig Worwood of Levan Town. Approximately two years ago Levan Town approached the Water Quality Board for a planning advance to study the issue of a public sewer system. Since that time the Town contracted with an engineering firm to complete the plan and held a number of public meetings on the matter. Based on the preliminary cost estimates and the sentiment of those who attended the public meetings the Town feels it cannot afford to pursue a sewer project at this time. The Town feels that the effort was valuable and will help in the planning for future growth in the community. The Town also feels the plan highlighted the need to assure that citizens properly maintain their existing septic systems. The Town intends to monitor the density of the on-site systems which will help dictate when a public sewer will become necessary.

Levan Town asked that the Water Quality Board revoke the repayment condition on its previously authorized \$33,000 Planning Advance and convert the advance to a grant. Mr. Adams asked if the study will be of value in the future when the Town needs it. Mr. McDonald answered that, with some updating, the information gathered in the study will remain valid.

<b>Action Taken:</b>	<b>It was moved by Ms. Bunker to temporarily forgive the \$33,000 planning advance, but add the amount back into the cost of a loan when Levan Town returns in the future to request funding from the Board for a project. The motion was seconded by Mr. Child, and unanimously carried.</b>
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1. **Payson City - (Action Item)** - Mr. McDonald explained that on June 15, 2001 Payson City applied for a project funding increase which was approved by the Water Quality Board. At that time the question was asked what the City could offer as a local contribution towards the project. The City indicated it would return to the Board and document its contribution towards the project. Since that time the City has purchased with its own funds \$500,000 of bio-solids composting equipment and has collected some impact fees that would allow a reduction of \$1,000,000 to the City's original funding request.

**Action Taken:** It was moved by Mr. Adams, seconded by Dr. Kochenour and Ms. Wechsler, and unanimously carried to approve the request to reduce the City's loan authorization by \$1,000,000 to \$7,479,000.

2. **Bear Lake Special Service District (1<sup>st</sup> Hearing)** - Mr. Beavers introduced Bill Cox, Jason Linford and Al Harrison. Mr. Beavers explained that developments along the south and southeast shoreline of Bear Lake are served by on-site wastewater disposal systems which are located very near the shoreline of the high water level of the lake. Rich County, Bear Lake Regional Commission, Bear Lake Special Service District and property owners have been concerned about potential water pollution from the on-site disposal systems and asked the Rich County Commission to support a sewer facility planning effort. Rich County requested and received a \$42,000 Planning Grant from the Water Quality Board on January 21, 2001 to complete this plan.

The District now proposes to construct a pressurized collection system along the shoreline. Rendezvous Beach State Park and six homes that utilize the State Park's treatment facility have asked to also be included in the project. The estimated annual cost for sewer service for the property owners and the State Park is estimated to be \$111,376, based on a \$2.23 million, 0% interest, 25-year loan. This will allow the monthly user fees to be approximately \$55.25 per month. As new growth occurs, impact fees will be assessed in order for homes to connect to the sewer system.

3. **Mt. Green (Action Item)** - Mr. Baker introduced Ron Lawson with Mt. Green SID and Bryan Elwell with Michael Baker Corp. Mr. Baker explained that Mt. Green SID is requesting assistance in the amount of \$1,055,000 from the Utah Wastewater Project Assistance Program for funding an expansion and upgrade of its existing wastewater treatment facility. The Board approved a \$39,500 planning advance to the District in July of 2000 to help fund a facility plan. The District is nearing completion of that plan and is now ready to pursue funding for the project. The cost estimate is \$1.3 million which includes the planning advance amount. Mt. Green is proposing a local contribution of \$262,000. Staff recommended a loan be authorized in the amount of \$1,055,000, at 0% interest and a two and one-half percent (2.5%) hardship assessment with a repayment term of 20 years.

**Action Taken:** It was moved by Mr. Adams, seconded by Mayor Thompson and unanimously carried to approve the request as recommended by staff. If large development occurs within the next two months, Mt. Green may return to the Board and make a request to have the terms of its loan amended.

## **REQUESTS TO ADOPT RULES**

1. **Adoption of R317-11, R317-1, R317-4, and R317-5 (Action Item)** - Mr. Pitkin pointed out at the May 7<sup>th</sup> Board meeting in St. George these rules were brought before the Board.

These rules are to implement a certification program for those persons who are involved in the design, inspection and maintenance of underground wastewater disposal systems, or who conduct percolation and soil tests for such systems, as required by H.B. 14 which was passed in the last legislative session. Pursuant to comment received during the public comment period, a number of minor changes to R317-11 are proposed for final adoption. No changes are proposed to the other rules, as compared to what was proposed for public comment. Tab 5 of the Board packet contains a copy of the rules, with any changes pursuant to public comment double underlined. There is also a Responsiveness Summary listing all of the comments received, along with staff responses. The only substantive change to the rules, in response to comments made, was to not require persons who have received on-site system training from the USU Training Center since January 1, 1999, to repeat that training. However, they still must take and pass the examination, in order to be consistent with the requirement for other persons who must take the training and pass a test in order to become certified

**Action Taken:**                    **It was moved by Mayor Cushing, seconded by Mr. Adams and unanimously carried to approve the new rule R317-11, and the changes to R317-1, R317-4, and R317-5.**

2. **Adoption of the FY2002 Intended Use Plan for the State Revolving Fund (Action Item)** - Ms. Hess explained that a mass mailing of the proposed IUP occurred and that a 30-day public comment period ended on June 15, 2001 with no comments being received. She requested the Board adopt the FY2002 Intended Use Plan as proposed.

**Action Taken:**                    **It was moved by Mayor Thompson, seconded by Mr. Sims, and unanimously carried to adopt the FY2002 Intended Use Plan.**

3. **Adoption of R317-100 - FY2002 Utah Wastewater Project Priority System for the Utah Wastewater Project Assistance Program (Action Item)** - Mr. Baker (filling in for Ms. Quick) explained there were no comments during the comment period. (Tab 5)

**Action Taken:**                    **It was moved by Mr. Sims, seconded by Ms. Wechsler and unanimously carried to adopt the proposed rule changes**

4. **Adoption of R317-101 & R317-102 - Utah Wastewater Project Assistance Program, pertaining to making loans for storm water projects (Action Item)** - Mr. Baker referred the board to pages 5.24 explaining the changes being proposed to the rules. Both rules went out for public comment but no responses were received. Mr. Baker requested the Board adopt the rules as proposed. (Tab 5)

**Action Taken:** It was moved by Ms. Wechsler, seconded by Ms. Bunker and unanimously carried to approve the changes proposed.

**OTHER BOARD ACTIONS:**

1. **Stansbury Park (Action Item):** Ms. Tatum introduced Bob Shields Manager of the Stansbury Improvement District and Ed McCauley, Consulting Engineer. Stansbury Park Improvement District is requesting approval of alternate permit limits for TSS and a waiver of the percent removal requirements for TSS. Ms. Tatum explained that Stansbury Park Improvement District met the requirements of 317-1-3.2 for alternate TSS limits not to exceed 45 mg/l for a monthly average or 65 mg/l for a weekly average. It was also explained that they met the requirements for a waiver of the percent removal requirements because of excessive sewerline infiltration.

**Action Taken:** It was moved by Mr. Adams, seconded by Dr. Kockenour, and unanimously carried to approve the alternative limits and waive the percent removal requirements.

2. **Lakepoint Improvement District (Action Item):** Mr. Schmitz requested the Board grant and approve Lakepoint Improvement District's request for alternative permit limits of 45 mg/l for TSS and BOD<sub>5</sub>, 30 day average, and 65 mg/l for TSS and BOD<sub>5</sub> for the 7 day average.

**Action Taken:** It was moved by Mr. Williams, seconded by Mayor Cushing and unanimously carried to approve the proposed alternative.

3. **Cache Valley (Action Item):** Mr. Mize introduced Mark Teuscher and Thad Erickson representing Cache County, concerning the Cache County Aquifer Classification Petition-Request for board action. A public hearing was held on the referenced petition on April 26, 2001 with the comments included in Tab 6 of the board packet. The recommended motion is that the proposed classification be approved.

**Action Taken:** It was moved by Mr. Sims, seconded by Mayor Thompson to approve the request.

4. **Designate the Division of Radiation Control Director as an Executive Secretary to the WQ Board for specific radiation control facilities (Action Item):** Mr. Mize introduced Mr. Bill Sinclair, Director of the Division of Radiation Control. The Division of Water Quality is requesting (1) Bill Sinclair, Director of the Division of Radiation Control, as appointed by the Executive Director, be approved as an Executive Secretary to the Water Quality Board to exercise the powers prescribed under the provisions of UCA 19-5-106 to administer the requirements of UAC R317-6 as applied to the following facilities: Envirocare, Rio Algom, International Uranium Corporation, and Plateau Resources Limited, and (2) as allowed under the provisions of UCA 19-5-104(1)(k), the responsibility for administering the Ground Water Protection Rules as derived from the authority of the Water Quality Act for the referenced facilities would be within the Division of Radiation Control.

**Action Taken:**            **It was moved by Mayor Cushing, seconded by Dr. Kockenour and unanimously carried to approval.**

**NEXT MEETING**

The next meeting of the Board is scheduled to be held on September 24, 2001 at the Holiday Inn in St. George beginning at 1:30 p.m.

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K. C. Shaw, Chairman